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In re Application of :
Timothy E. Trigg et al :
Serial No.: 10/808,504 : PETITION DECISION
Filed: March 25, 2004 :
Attorney Docket No.: 4137-33 :

This is in response to the petition under 37 CFR 1.181, filed September 26, 2005, for withdrawal of abandonment of the above identified application based on failure to receive an Office action. The delay in acting on this petition is regretted.


A review of the file history shows that the examiner mailed a Notice of Allowance and Issue Fee Due and a Notice of Allowability to applicants on October 6, 2004. Upon failure to receive a reply the Office mailed a Notice of Abandonment to applicants on September 19, 2005.

Applicants state that the Office action was never received and provide a statement and copies of docket records establishing that the Office action was never received. In view of the evidence presented the Notice of Abandonment is withdrawn and the application is restored to pending status with the mailing of this decision.

The petition is **GRANTED**.

The application will be forwarded to the examiner for mailing of a new Notice of Allowance and Issue Fee Due and a new Notice of Allowability.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, P.O. Box 1450, Alexandria, VA 22313-1450, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number, 571-273-8300.


Bruce M. Kisliuk
Director, Technology Center 1600